



1-28-04

PTO/SB/30 (08-03)

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**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<i>TECH CENTER 1600</i>	<i>FEB 02 2004</i>
<i>Application Number</i>	09/936,558
<i>Filing Date</i>	September 14, 2001
<i>First Named Inventor</i>	Keiko Matsumoto
<i>Art Unit</i>	1615
<i>Examiner Name</i>	PULLIAM, Amy E.
<i>Attorney Docket Number</i>	700938-52740-RCE

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995; or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
ii. Other _____

b. Enclosed

i. Amendment/Reply iii. Information Disclosure Statement (IDS)
ii. Affidavit(s)/ Declaration(s) iv. Other See Addendum

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
b. Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to
a. Deposit Account No. 50-0850

i. RCE fee required under 37 CFR 1.17(e) \$770.00
ii. Extension of time fee (37 CFR 1.136 and 1.17) \$530 (3 mo. ext.; 2 mo. paid 12/29/03)
iii. Other _____

b. Check in the amount of \$ 1,300.00 enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Ronald I. Eisenstein	Registration No. (Attorney/Agent)	30,628
Signature	<u>Ronald I. Eisenstein</u>	Date	January 27, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)	Linda M. Ginsberg	<u>Linda M. Ginsberg</u>	Date	January 27, 2004
Signature				

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Practitioner's Docket No. 700938-52740-RCE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MATSUMOTO, Keiko et al.
Application No.: 09/936,558 Group No.: 1615
Filed: September 14, 2001 Examiner: PULLIAM, Amy E.
For: FAST DISINTEGRATING TABLETS AND METHOD FOR PRODUCTION THEREOF

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: EL 934999210 US

Date of Deposit: January 27, 2004

I hereby state that the following *attached* papers and fees:

1. Return Receipt Postcard;
2. Check in the Amount of \$1,300.00;
3. Express Mail Certificate EL934999210 (2 pg.);
4. Fee Transmittal (1 pg.);
5. Petition for Three-Month Extension of Time (1 pg.);
6. Request for RCE Transmittal (1 pg.); and
7. Copy of Amendment Filed December 29, 2003 (8 pp.).

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

is on the date shown below being:

Signature

Date: January 27, 2004

Linda M. Ginsberg
(type or print name of person certifying)

Nixon Peabody LLP

Attorneys at Law

101 Federal Street
 Boston, Massachusetts 02110-1832
 (617) 345-1000

Fax: (617) 345-1300

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FAX

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1) Examiner Thurman Page		703-746-3154	703-308-2927
2)			
3)			
4)			
5)			

INTERNATIONAL PHONE NUMBERS MUST INCLUDE COUNTRY & CITY CODE. SEE LOCAL WHITE PAGES FOR CODES NEEDED.

From: Nicole L.M. Valtz	Date: January 27, 2004	No. of Pages: (including this page)	
Comments:			
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To:	Company	Fax #:	Telephone #:
1) Examiner Thurman Page		703-746-3154	703-308-2927
2)			
3)			
4)			
5)			

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From: Nicole L.M. Valtz	Date: January 27, 2004	No. of Pages: (including this page)	Client/Matter: 700938-52740
User #: 7786	Ext: 1270	Disbursement Amount: \$	

Mailing Date: December 29, 2003

Attorney/Sec: RIE/NV/LMG

Client: Kaken

Docket No.: 700938-52740

Inventor: Keiko Matsumoto et al.

Patent No.:

Serial No.: 09/936,558

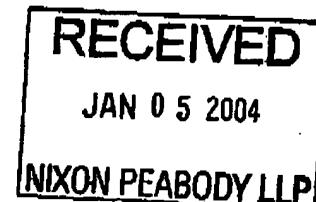
Grant Date:

Filing Date: September 14, 2001

The dating stamp of the Patent and Trademark Office hereon will be taken as the date of filing of:

1. Certificate of Mailing (1 pg.);
2. Transmittal (1 pg.);
3. Fee Transmittal (1 pg.);
4. Amendment (16 pp.);
5. Petition and Fee for Extension of Time (37 C.F.R. 1.136(a));
6. Check - \$420.00; and
7. Return Receipt Postcard.

Due Date:



01/27/04 TUE 10:25 FAX 617 345 1300

NIXON PEABODY

004

NIXON
PEABODY
LLP
ATTORNEYS AT LAW

Nixon Peabody LLP
101 Federal Street
Boston MA 02110

12/10/03

Vendor N. 710405
Request No. 519260

No. 102007372

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Syracuse, New York

50-9377213

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\$*****420.00
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TO THE ORDER OF

Commissioner for Patents

Jonathan Balow

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Check #: 102007372

VENDOR NO. 710405	REQUEST NO. 519260		
DATE	INVOICE NO.	AMOUNT	DESCRIPTION
12/10/03	CKRQ12/10/03-LG	\$ 420.00	Two month extension fee

CHECK TOTAL \$ 420.00

PAGE NO. 1

DETACH STATEMENT BEFORE DEPOSITING CHECK

Practitioner's Docket No. 700938-52740

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Keiko Matsumoto et al.

Application No.: 09/936,558

Group No.: 161S

Filed: 09/14/2001

Examiner: Pulliam, Amy E.

For: FAST DISINTEGRATING TABLETS AND METHOD FOR PRODUCTION THEREOF

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that the attached correspondence comprising:

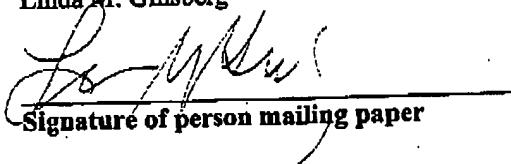
1. Certificate of Mailing (1 pg.);
2. Transmittal (1 pg.);
3. Fee Transmittal (1 pg.);
4. Amendment (16 pp.);
5. Petition and Fee for Extension of Time (37 C.F.R. 1.136(a)) (2 pp.);
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on December 29, 2003.

Linda M. Ginsberg


Signature of person mailing paper

Certificate of Mailing Under 37 C.F.R. § 1.8(a)—page 1 of 1

BOS1335347.1

PTO/SB/21 (08-03)

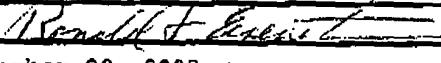
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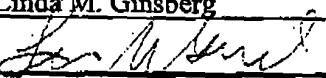
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number 09/936,558
		Filing Date September 14, 2001
		First Named Inventor Keiko Matsumoto
		Art Unit 1615
		Examiner Name Pulliam, Amy E.
Total Number of Pages In This Submission		Attorney Docket Number 700938-52740

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Check and Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<input type="checkbox"/> Remarks The commissioner is authorized to charge any fee deficiencies associated with this filing to the NIXON PEABODY LLP Deposit Account No. 50-0850.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Ronald I. Eisenstein (30,628)/Nicole L.M. Valtz (47,150) Nixon Peabody, 101 Federal Street, Boston, MA 02110
Signature	
Date	December 29, 2003

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Typed or printed name	Linda M. Ginsberg	
Signature		Date
	December 29, 2003	

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FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 420.00)

Comptel If Known

Application Number	09/936,558
Filing Date	September 14, 2001
First Named Inventor	Keiko Matsumoto
Examiner Name	Pulliam, Amy E.
Art Unit	1615
Attorney Docket No.	700938-52740

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None Deposit Account:

Deposit Account Number	50-0850
Deposit Account Name	Nixon Peabody LLP

The Director is authorized to: (check off that apply)

Charge fee(s) indicated below Credit any overpayments
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 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Fee	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee
1002	340	2002	170	Design filing fee
1003	530	2003	265	Plant filing fee
1004	770	2004	385	Reissue filing fee
1005	160	2005	80	Provisional filing fee

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			-3*** =	X	=

Large Entity : Small Entity

Fee Code (\$)	Fee	Fee Code (\$)	Fee Description
1202	18	2202	9 Claims in excess of 20
1201	86	2201	43 Independent claims in excess of 3
1203	290	2203	145 Multiple dependent claim, if not paid
1204	86	2204	43 ** Reissue independent claims over original patent
1205	18	2205	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity : Small Entity

Fee Code (\$)	Fee	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	65 Surcharge - late filing fee or oath	
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130 Non-English specification	
1812	2,520	1812	2,520 For filing a request for ex parte reexamination	
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	
1251	110	2251	55 Extension for reply within first month	
1252	420	2252	210 Extension for reply within second month	420.00
1253	950	2253	475 Extension for reply within third month	
1254	1,480	2254	740 Extension for reply within fourth month	
1255	2,010	2255	1,005 Extension for reply within fifth month	
1401	330	2401	165 Notice of Appeal	
1402	330	2402	165 Filing brief in support of an appeal	
1403	290	2403	145 Request for oral hearing	
1451	1,510	1451	1,510 Petition to Institute a public use proceeding	
1452	110	2452	55 Petition to revive - unavoidable	
1453	1,330	2453	665 Petition to revive - unintentional	
1501	1,330	2501	865 Utility issue fee (or reissue)	
1502	480	2502	240 Design issue fee	
1503	640	2503	320 Plant issue fee	
1460	130	1460	130 Petitions to the Commissioner	
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180 Submission of Information Disclosure Stmt	
8021	40	8021	40 Recording each patent assignment per property (times number of properties)	
1809	770	2809	385 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385 For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385 Request for Continued Examination (RCE)	
1802	900	1802	900 Request for expedited examination of a design application	

Other fee (specify).

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

420.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Ronald I. Eisenstein/Nicole L.M. Valtz	Registration No. (Attorney/Agent)	30,628/47,150	Telephone	617-345-6054/1270
Signature	<i>Ronald I. Eisenstein</i>				

Date December 29, 2003

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